

Justin Fok, Esq., CSBN: 242272
Law Offices of Jean D. Chen
2107 N. First Street, Suite 400
San Jose, CA 95131
Telephone: (408) 437-1788
Facsimile: (408) 437-9788
Email: jfok@jclawoffice.com

Attorney for Plaintiff
Lei Hua

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
COMPLAINT

Lei Hua,

Plaintiff,

v.

Michael Chertoff, Secretary of the
Department of Homeland Security;
Emilio T. Gonzalez, Director of United States
Citizenship and Immigration Services;

Defendants.

) Case No.

C07

08224

HRL

PLAINTIFF'S ORIGINAL COMPLAINT
FOR WRIT IN THE NATURE OF
MANDAMUS & DECLARATORY
JUDGMENT UNDER 28 U.S.C. § 1361

Immigration Case

Plaintiff, Lei Hua, by and through his attorney of record, opens this lawsuit against the Defendants and will show this Court the following:

1. Plaintiff, Lei Hua, brings this case to compel action on the delayed processing of his I-485, *Application to Register Permanent Residence or Adjust Status*. This application remains within the jurisdiction of the Defendants who have improperly delayed and withheld action on this application to Plaintiff's detriment.

1 **PARTIES**

2 2. Plaintiff, Lei Hua, a resident of Sunnyvale, CA, is the primary applicant of an I-485,
3 *Application to Register Permanent Residence or Adjust Status* ("I-485"), filed with the United
4 States Citizenship and Immigration Services ("USCIS").

5 3. Defendant, Michael Chertoff, is the Secretary of the Department of Homeland Security
6 ("DHS"), and this action is brought against him in his official capacity. Defendant Chertoff is
7 generally charged with enforcement of the Immigration and Nationality Act and its related
8 regulations, which provide for the processing of adjustment of status applications.

9 4. Defendant, Emilio T. Gonzalez, is the Director of USCIS, and this action is brought
10 against him in his official capacity. USCIS is an agency within the DHS to which DHS'
11 authority has, in part, been delegated. Defendant Gonzalez is generally charged with the overall
12 administration of immigration benefits and services, including adjustment of status.

13 **JURISDICTION**

14 5. Jurisdiction in this case is proper under 28 U.S.C. §§ 1331 and 1361, 5 U.S.C. §§ 551, *et*
15 *seq.* and 701, *et seq.*, and 28 U.S.C. § 2201 *et seq.* Relief is requested pursuant to said statutes.
16 Additionally, attorney fees and costs will be sought pursuant to the Equal Access to Justice Act,
17 28 U.S.C. § 2412(d) and 5 U.S.C. § 504 *et seq.*

18 **VENUE**

19 6. Venue is proper in this honorable Court, pursuant to 28 U.S.C. §1391(e), in that Plaintiff
20 may request a hearing on the matter in the district where Plaintiff resides.

21 **INTRADISTRICT ASSIGNMENT**

22 7. This lawsuit should be assigned to the San Jose Division of this court because a
23 substantial part of the event or omission which give rise to this lawsuit occurred in Santa Clara
24 County.

25 **EXHAUSTION OF REMEDIES**

26 8. Plaintiff has exhausted his administrative remedies. Plaintiff has supplied the USCIS and
27 the FBI with documents that clearly establish his eligibility to register as a permanent resident,
28

1 and as will be demonstrated by the evidence, has followed up with numerous inquiries and
2 requests to the pertinent administrative agencies attempting to expedite his delayed application.

3 CAUSE OF ACTION

4 9. Plaintiff ("Mr. Hua") properly filed an I-485, *Application to Register Permanent*
5 *Residence or Adjust Status* with the USCIS on May 2, 2005. **(EXHIBIT 1)**

6 10. On June 17, 2005, Mr. Hua made an inquiry as to the status of his I-485 application. In a
7 response dated June 20, 2005 Officer Williams from the California Service Center ("CSC")
8 informed him that his application was still pending due to USCIS awaiting the Name Check
9 results from the FBI. **(EXHIBIT 2)**

10 11. On September 23, 2005, Mr. Hua again made an inquiry with the CSC as to the status of
11 his I-485 application. In a response dated September 26, 2006, Mr. Hua was informed that his
12 application was still pending due to the FBI name check. **(EXHIBIT 3)**

13 12. On September 27, 2005, Mr. Hua appeared at the USCIS Oxnard Application Support
14 Center to submit his fingerprints. **(EXHIBIT 4)**

15 13. On April 12, 2006, Mr. Hua made an inquiry with USCIS as to the status of his name
16 check. On April 24, 2006 Officer Bueno informed Mr. Hua that his application was still pending
17 FBI name check clearance. **(EXHIBIT 5)**

18 14. On May 12, 2006, Mr. Hua again inquired into the status of his background security
19 check with the FBI. On May 18, 2006, Officer Bueno responded informing Mr. Hua that his
20 application was still pending the FBI name check. **(EXHIBIT 6)**

21 15. On September 19, 2006, Mr. Hua made another inquiry with USCIS as to the status of his
22 application and name check. On September 22, 2006 Officer Cruz from CSC informed Mr. Hua
23 that his case had been transferred to the Texas Service Center ("TSC") as of June 14, 2006.
24 **(EXHIBIT 7)**

25 16. On October 4, 2006, Mr. Hua's attorney Sandra Flood made an inquiry with USCIS CSC
26 as to the status of Mr. Hua's application. On October 12, 2006, Officer Bueno informed
27 Attorney Flood that Mr. Hua's application was still pending FBI name check clearance.
28 **(EXHIBIT 8)**

1 17. Mr. Hua made a Freedom of Information-Privacy Acts ("FOIPA") request and on
2 November 21, 2006, David M. Hardy, Section Chief, Record/Information Dissemination Section,
3 Records Management Division, informed Mr. Hua that there were no responsive records to his
4 FOIPA request. **(EXHIBIT 9)**

5 18. On January 3, 2007, Mr. Hua attended an InfoPass appointment to speak with an
6 immigration office regarding his I-485 application. Mr. Hua was informed that his application
7 was still pending FBI name check clearance. **(EXHIBIT 10)**

8 19. On February 8, 2007, Mr. Hua again made an inquiry to the USCIS CSC as to the status
9 of his I-485 application. On February 14, 2007 Officer Bueno responded informing Mr. Hua that
10 his application is not located at CSC. **(EXHIBIT 11)**

11 20. Mr. Hua wrote a letter to Senator Barbara Boxer requesting assistance with his stalled I-
12 485 application. In a response dated February 22, 2007, Senator Boxer informed Mr. Hua that
13 his name check, which was received on May 18, 2005, was in pending status. **(EXHIBIT 12)**

14 21. On May 1, 2007, Mr. Hua appeared at the USCIS Oxnard Application Support Center to
15 submit his fingerprints. **(EXHIBIT 13)**

16 22. Plaintiff wrote a letter to Senator Dianne Feinstein, requesting assistance with his stalled
17 I-485 application. In a response dated June 1, 2007, Senator Feinstein informed Mr. Hua that her
18 office had contacted the FBI on his behalf and would get back to him when they have received
19 their response. **(EXHIBIT 14)**

20 23. On June 12, 2007, Mr. Hua had another InfoPass appointment to speak with an
21 immigration officer regarding his I-485 application. Mr. Hua was informed that his application
22 was still pending FBI name check clearance. **(EXHIBIT 15)**

23 24. On June 14, 2007, Mr. Hua wrote a letter to the USCIS TSC requesting information on
24 his I-485 application. Mr. Hua has still not received a response. **(EXHIBIT 16)**

25 25. In a letter to Ms. George W. Bush, on April 25, 2007, Mr. Hua requested assistance with
26 his stalled I-485 application. In a response letter from the FBI, dated June 20, 2007, Mr. Hua
27 was informed that the FOIPA name check and FBI clearance name check for USCIS differ, and
28 that his FBI name check was still pending. **(EXHIBIT 17)**

1 26. On September 5, 2007, Mr. Hua attended an InfoPass appointment to speak with an
2 immigration office regarding his I-485 application. Mr. Hua was informed that his application
3 was still pending FBI name check clearance. (**EXHIBIT 18**)

4 27. Although the role of Defendants is pivotal to the security of the United States of America,
5 the Defendants' actions have gone well beyond the expected 9 months processing time for the
6 adjudication of an I-485 Application (See Texas Service Center processing dates for I-485 cases
7 posted September 15, 2007. (**EXHIBIT 19**)

8 28. Defendants have failed to adhere to their own processing times and procedures and, due
9 to these errors, have delayed the processing of Plaintiff's I-485 case.

10 29. Plaintiff has submitted sufficient information for USCIS to complete adjudication of
11 Plaintiff's I-485 application.

12 30. Plaintiff has been greatly damaged by the failure of Defendants to act in accordance with
13 their duties under the law. Specifically:

14 (a) Plaintiff has been unable to obtain legal permanent residence and thus cannot
15 travel or work without restriction. He must spend additional time and pay
16 additional filing fees each year in order to work and travel legally.

17 (b) Plaintiff is unable to accrue time to be eligible for naturalization as a citizen of
18 the United States, thus delaying his obtainment of the rights and privileges
19 enjoyed by citizens of the United States.

20 31. Defendants, in violation of 28 U.S.C. § 1361, have failed to complete the processing of
21 Plaintiff's I-485, a duty delegated to them by law.

22 32. Defendants, in violation of the Administrative Procedures Act at 5 U.S.C. § 706(1), are
23 unlawfully withholding action on Plaintiff's application, and have unreasonably delayed action
24 on Plaintiff's case.

25 33. Defendants, in violation of the Administrative Procedures Act at 5 U.S.C. § 555(b), are
26 unlawfully delaying action on Plaintiff's application and have failed to complete the adjudicative
27 functions delegated to them by law within a reasonable time.

28 **PRAYER**

1 34. WHEREFORE, in view of the arguments and authority noted herein, Plaintiff
2 respectfully prays that the Defendants be cited to appear herein and that, upon due consideration,
3 the Court enter an order:

- 4 (a) requiring USCIS to complete adjudication of Plaintiff's I-485 Application within 60
5 days of receiving the Court's Order;
6 (b) awarding reasonable attorney's fees pursuant to the Equal Access to Justice Act; and
7 (c) granting such other relief at law and in equity as justice may require.
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11 Dated: October 9, 2007

Respectfully Submitted,

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14 Justin Fok, CSBN: 242272
15 Attorney for Plaintiff
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EXHIBIT LIST

- Exhibit 1:** Plaintiff's receipt notice for I-485 dated May 2, 2005.
- Exhibit 2:** Correspondence with Officer Williams from CSC dated June 17, 2005 and response dated June 20, 2005.
- Exhibit 3:** Correspondence with Officer Williams from CSC dated September 23, 2005 and response dated September 26, 2005.
- Exhibit 4:** Plaintiff's fingerprint notice dated September 26, 2005.
- Exhibit 5:** Correspondence with Officer Bueno from CSC dated April 12, 2006 and response dated April 24, 2006.
- Exhibit 6:** Correspondence with Officer Bueno from CSC dated May 12, 2006 and response dated May 18, 2006.
- Exhibit 7:** Correspondence with Officer Cruz from CSC dated September 19, 2006 and response dated September 22, 2006.
- Exhibit 8:** Attorney Sandra Flood's correspondence with Officer Bueno from CSC dated October 4, 2006 and response dated October 12, 2006.
- Exhibit 9:** FOIPA Response from David M. Hardy, Section Chief, dated November 21, 2006.
- Exhibit 10:** Infopass Appointment Notice for January 3, 2007.
- Exhibit 11:** Correspondence with Officer Bueno from CSC, dated February 8, 2007 and response dated February 14, 2007
- Exhibit 12:** Response letter from Senator Barbara Boxer and Constituent Representative Lucia Macia's response from the FBI dated, February 22, 2007.
- Exhibit 13:** Plaintiff's fingerprint notice dated May 1, 2007.
- Exhibit 14:** Response letter from Senator Dianne Feinstein dated June 1, 2007.
- Exhibit 15:** Infopass Appointment Notice for June 12, 2007.
- Exhibit 16:** Plaintiff's letter to USCIS TSC dated June 14, 2007.
- Exhibit 17:** Response letter dated June 20, 2007, to Plaintiff's letter dated April 25, 2007 to Ms. George W. Bush.

1 **Exhibit 18:** Plaintiff's Infopass appointment dated September 5, 2007

2 **Exhibit 19:** USCIS Texas Service Center Processing Dates Posted September 15, 2007

Exhibit 1

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797C, Notice of Action



RECEIPT NUMBER WAC-05-151-54164		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE May 2, 2005	PRIORITY DATE	APPLICANT A98 462 972 HUA, LEI
NOTICE DATE May 10, 2005	PAGE 1 of 1	
LEI HUA C/O HUA LEI [REDACTED] CAMARILLO CA 93010		Notice Type: Receipt Notice Amount received: \$ 385.00 Section: Other basis for adjustment

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



Exhibit 2

Yahoo! Mail -- [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

From: "485, CSC XII" <CSC-XII.485@dhs.gov>**To:** ""lei hua" " [REDACTED]**Subject:** Re:status about my I-485 case**Date:** Mon, 20 Jun 2005 13:49:00 -0400

This is to inform you that the I-485 in question is still pending. The reason that it is still pending is that USCIS is awaiting NAME CHECK results from the FBI. It may have been a long time since we sent the name, but USCIS has no control of the time it takes. We apologize for the delay

Thank You
 James A Williams
 Center Adjudications Office
 Div XII, California Service Center

Reply Separator

Subject: status about my I-485 case

Author: "lei hua" [REDACTED]

Date: 6/17/05 7:34 PM

Dear Sir/Madam:

My I-485, Application to Adjust to Permanent Resident Status, was filed on 05/10/2005 (Receipt Notice Date).

However, I have still not received a fingerprint notice and I can not find case information online either.

I would really appreciate it if you could let me know when I will receive my fingerprint notice or if the delay is due to a specific reason. Please let me know if you need any additional information regarding my application.

My I485 details are shown below:

Applicant First Name: Lei
 Applicant Last Name: Hua
 Applicant I485 Receipt #: WAC0515154164
 Applicant e-mail address: [REDACTED]@yahoo.com
 Applicant Date of Birth: [REDACTED]
 Applicant Work Phone Number: 805-[REDACTED]

Yahoo! Mail - [REDACTED]@yahoo.com

Page 2 of 2

Thanking you in anticipation

With warmest regards,

Lei Hua

Yahoo! Sports
Rekindle the Rivalries. Sign up for Fantasy Football
<http://football.fantasysports.yahoo.com>

Exhibit 3

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

From: "485, CSC XII " <CSC-XII.485@dhs.gov>**To:** ""lei hua" " [REDACTED]**Subject:** Re[2]:status about my I-485 case**Date:** Mon, 26 Sep 2005 10:37:00 -0400

This is to inform you that the I-485 in question is still pending. The reason that it is still pending is that USCIS is awaiting NAME CHECK results from the FBI. It may have been a long time since we sent the name, but USCIS has no control of the time it takes. USCIS also does not have dates as to when the Names were originally sent to the FBI, we can only confirm that they in fact were sent. Please allow 120 days before additional inquiries. In the future we will not be addressing weekly inquiries. Please Note: If the principal is not adjudicated then the derivatives will NOT be adjudicated. We apologize for any and all inconvenience this may cause. After this the print notices are sent

Thank You
 James A Williams
 Center Adjudications Office
 Div XII, California Service Center

 Reply Separator

Subject: Re:status about my I-485 case
 Author: "lei hua" [REDACTED]
 Date: 9/23/05 7:26 PM

Dear Sir/Madam:

My I-485, Application to Adjust to Permanent Resident Status, was filed on 05/10/2005 (Receipt Notice Date).

However, I have still not received a fingerprint notice. And some people who filed I-485 in August 2005 got their finger print notice.

I would really appreciate it if you could let me know

Yahoo! Mail - l[REDACTED]3@yahoo.com

Page 2 of 2

when I will receive my fingerprint notice or if the delay is due to a specific reason. Please let me know if you need any additional information regarding my application.

My I485 details are shown below:

Applicant First Name: Lei
Applicant Last Name: Hua
Applicant I485 Receipt #: WAC0515154164
Applicant e-mail address: [REDACTED]@yahoo.com
Applicant Date of Birth: ([REDACTED])
Applicant Work Phone Number: 805-[REDACTED]

Thanking you in anticipation

With warmest regards,

Lei Hua

Yahoo! for Good
Donate to the Hurricane Katrina relief effort.
<http://store.yahoo.com/redcross-donate3/>

Exhibit 4

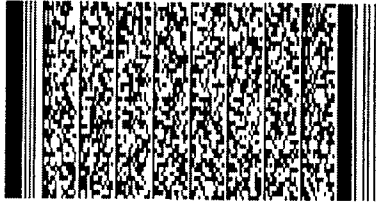
Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

UNITED STATES OF AMERICA

ASC Appointment Notice			NOTICE DATE 09/22/2005
CASE TYPE I485 Application to Register Permanent Resident or Adjust Status		SOCIAL SECURITY NUMBER	USCIS A# A098462972
APPLICATION NUMBER WAC0515154164	CODE 3	SERVICE CENTER WSC	PAGE 1 of 1

I EI HUA
[REDACTED]
CAMARILLO, CA 93010



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.
PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.
If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below.
RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW AND FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER USCIS OXNARD 250 W. CITRUS GROVE LANE CARRIAGE SQ SHP CTR SUITE 100 OXNARD, CA 93030	DATE AND TIME OF APPOINTMENT 10/05/2005 1:00 PM
--	--


WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:
1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible.
Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:

USCIS OXNARD 250 W. CITRUS GROVE LANE CARRIAGE SQ SHP CTR SUITE 100 OXNARD, CA 93030	APPLICATION NUMBER 1 I485 - WAC0515154164
---	--



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.
If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

ASC 0515154164
 BIOMETRICS OF AMERICA
 15700
 TENTH AVENUE
 15700

Exhibit 5

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

Subject: RE: the status of my Name Check from FBI

Date: Mon, 24 Apr 2006 13:12:35 -0700

From: "CSC XII 485" <CSC-XII.485@dhs.gov>

To: leihua [REDACTED]

The Principal applicants 1-485 is still pending FBI name check clearance. Once the file has been cleared by FBI, all the riding applicants and principal will be adjudicated. The Service has NO control over how long it takes FBI to clear the case.

M. Bueno

-----Original Message-----

From: lei hua [mailto:[REDACTED]]
Sent: Wednesday, April 12, 2006 5:44 PM
To: 485, CSC XII
Subject: the status of my Name Check from FBI

Dear Sir/Madam:

I would really appreciate it if you could let me know the status of my Name Check from FBI.

PRINCIPLE APPLICANT'S DETAILS:

Applicant First Name: Lei
Applicant Last Name: Hua
Receipt Number: WAC0515154164
A#: 98-462-972
Applicant e-mail address: [REDACTED]@yahoo.com Applicant Date of Birth: [REDACTED]
Applicant Work Phone Number: 805-[REDACTED] (O) Applicant Home
Phone Number: 805-[REDACTED]

SPOUSE DETAILS:

Applicant First Name: Jim
Applicant Last Name: Huang
Receipt Number: WAC0515154167
A#: 98-462-973
Applicant e-mail address: [REDACTED]@yahoo.com Applicant Date of Birth: [REDACTED]
Applicant Home Phone Number: 805-[REDACTED]

Thanking you in anticipation

With warmest regards,

Lei Hua

Exhibit 6

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

Subject: RE: Status of my Background Security Check for my I485 applications.

Date: Thu, 18 May 2006 10:23:58 -0700

From: "CSC XII 485" <CSC-XII.485@dhs.gov>

To: leihua [REDACTED]

The Principal applicants I-485 is still pending FBI name check clearance. Once the file has been cleared by FBI, all the riding applicants and principal will be adjudicated. The Service has NO control over how long it takes FBI to clear the case.

M. Bueno

-----Original Message-----

From: lei hua [REDACTED]

Sent: Friday, May 12, 2006 10:29 AM

To: USCIS CSC

Subject: Status of my Background Security Check for my I485 applications.

Dear Sir/Madam:

I would really appreciate it if you could let me know the status of my background security check from FBI.

PRINCIPLE APPLICANT'S DETAILS:

Applicant First Name: Lei

Applicant Last Name: Hua

Receipt Number:WAC0515154164

A#: 98-462-972

Applicant e-mail address: [REDACTED] Applicant Date of Birth:

[REDACTED] Applicant Work Phone Number: 805 [REDACTED]

(O) Applicant Home

Phone Number: 805 [REDACTED] (H)

SPOUSE DETAILS:

Applicant First Name: Jing

Applicant Last Name: Huang

Receipt Number:WAC0515154317

A#: 98-462-973

Applicant e-mail address: [REDACTED] Applicant Date of Birth:

[REDACTED] Applicant Home Phone Number: 805- [REDACTED]

(H)

Thanking you in anticipation

With warmest regards,

Lei Hua

Exhibit 7

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2



Print - Close Window

Subject: RE: Name Check Status**Date:** Fri, 22 Sep 2006 10:23:40 -0700**From:** "CSC XII 485" <CSC-XII.485@dhs.gov>**To:** [REDACTED]

This case has been transferred out to the Texas Service Center as of 06/14/2006. In anticipation of the Bi-specialization by the USCIS taking effect as of April 1, 2006, this case was sent there to complete the processing. Be advised that a press release was just issued about the USCIS notifying applicants of additional filing changes effective July 24, 2006. The April 1, 2006 start date had been extended to July 24, 2006. The press release states in part that this change marks the second phase of Bi-Specialization, the USCIS initiative to implement centralized filing and bi-specialization adjudications. Through this effort, USCIS is aligning similar workloads between two "sister" service

centers. Starting on July 24 the Nebraska Service Center/Texas Service Center pairing will process all employment-based adjustment of status applications (and related applications). Although the Nebraska Service Center will serve as the centralized filing location, some petitioners/applicants will receive a filing receipt from the Texas Service Center, if the case is worked by that center.

To make an inquiry about this case, please call the National Customer Service Center at 800-375-8263. Thank you.

Officer R. Cruz
California Service Center
Congressional & Customer Service Relations
Division XII

-----Original Message-----

From: lei hua [mailto:[REDACTED]]
Sent: Tuesday, September 19, 2006 4:23 PM
To: USCIS CSC
Subject: Name Check Status

Dear Sir or Madam,

I am writing this email hoping to get some information about my NAME CHECK status.

I would really appreciate it if you could let me know when I will receive my NAME CHECK result or if the delay is due to a specific reason. Please let me know if you need any additional information regarding my application.

PRINCIPLE APPLICANT'S DETAILS:

Applicant First Name: Lei
Applicant Last Name: Hua
Receipt Number:WAC0515154164
A#: 98-462-972
Applicant e-mail address: [REDACTED]@tm

Yahoo! Mail - [REDACTED]@yahoo.com

Page 2 of 2

Applicant Date of Birth: [REDACTED]
Applicant Work Phone Number: 805-[REDACTED] (O)
Applicant Home Phone Number: 805-[REDACTED] (H)

SPOUSE DETAILS:

Applicant First Name: Jing
Applicant Last Name: Huang
Receipt Number: WAC0515154317
A#: 98-462-973
Applicant e-mail address: [REDACTED]
Applicant Date of Birth: [REDACTED]
Applicant Home Phone Number: 805-[REDACTED] (H)

Thanks in anticipation.

With warmest regards,

Lei Hua

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Exhibit 8

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

From: "Sandra" <sandra@bernardsidman.com>
To: leihu [REDACTED]
Subject: Fw: A98 462 972
Date: Thu, 12 Oct 2006 09:45:53 -0700

Hi Lei:

See response from Immigration regarding your security clearance.

Regards,

Sandra C. Flood
Law Offices of Bernard Sidman
16530 Ventura Blvd, Ste 306
Encino, CA 91436
Tel: (818) 981-0352
Fax: (818) 907-8471

----- Original Message -----

From: CSC XII 485
To: Sandra
Sent: Thursday, October 12, 2006 9:35 AM
Subject: RE: A98 462 972

The Principal applicant's I-485 is still pending FBI name check clearance. Once the file has been cleared by FBI, all the riding applicants and principal will be adjudicated. The Service has NO control over how long it takes FBI to clear the case.

Officer Bueno
Division 12
California Service Center

From: Sandra [mailto:sandra@bernardsidman.com]
Sent: Wednesday, October 04, 2006 3:02 PM
To: 485, CSC XII
Subject: A98 462 972

Re: HUA, Lei - WAC 05 151 54164 - A 98462972
HUANG, Jing - WAC 05 151 54317 A 98462973

To Whom It May Concern:

Can you check the above I-485 cases and let us know if the security clearances have come in on them yet.

Thanks,

Sandra C. Flood
Law Offices of Bernard Sidman
16530 Ventura Blvd, Ste 306
Encino, CA 91436
Tel: (818) 981-0352

Exhibit 9



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 21, 2006

MR LEI HUA

[REDACTED]
CAMARILLO, CA 93016

Request No.: 1063159- 000
Subject: HUA, LEI

Dear Requester:

This is in response to your Freedom of Information-Privacy Acts (FOIPA) request noted above.

To promptly respond to requests, we concentrate on identifying main files in the central records system at FBI Headquarters. No records responsive to your FOIPA request were located by a search of the automated indices.

You may file an administrative appeal by writing to the Director, Office of Information and Privacy, United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

Enclosed for your information is a copy of the FBI File Fact Sheet.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy", is written over a horizontal line.

David M. Hardy
Section Chief,
Record Information
Dissemination Section
Records Management Division

Enclosure

Exhibit 10

infoPass. .

Page 1 of



Name: **Lei Hua**

Appointment Speak to immigration officer

Type:

Confirmation LOS-06-141340

No.:

Appointment **January 3, 2007**
Date:

Authentication 161d4

Code:

Appointment **11:00**
Time: **AM**

Location: 300 N. LOS ANGELES ST., Los Angeles, CA 90012; ROOM 1001

**This is your Confirmation
Number:**



**If you wish to cancel this appointment, you will need
the following Personal Identification Number:
58777**

Please be on time. Failure to show up on time will result in the cancellation of your appointment. You will then need to reschedule your appointment. You will not be admitted more than 15 minutes before your scheduled appointment time.

- You must appear in person and bring photo identification along with this appointment letter.
- Acceptable forms of identification are any of the following: Government issued identification, passport, valid driver's license, I-94, Work Authorization Card, or Permanent Resident Card. (Green Card)
- In order to serve you more efficiently, we require you to bring all applicable immigration forms, letters, receipts, translations and originals of supporting documents.

Exhibit 11

Yahoo! Mail - [REDACTED]@yahoo.com

Page 1 of 2

YAHOO! MAIL

Print - Close Window

Subject: RE: Status of the I485 applications.
Date: Wed, 14 Feb 2007 13:49:40 -0800
From: "CSC XII 485" <CSC-XII.485@dhs.gov>
To: [REDACTED]

The national system indicates that the I-485's are located with the Texas Service Center. You will have to contact them directly concerning any questions with your cases. We have no jurisdiction over your case at

this time. The customer service telephone number is (800) 375-5283.

Officer Bueno
Division 12
California Service Center

-----Original Message-----

From: Lei Hua [mailto:[REDACTED]]
Sent: Thursday, February 08, 2007 6:12 PM
To: USCIS CSC
Subject: Re: Status of the I485 applications.

Dear Sir/Madam:

I would really appreciate it if you could let me know the status of the I485 applications.

My I485 details are shown below:

PRINCIPLE APPLICANT'S DETAILS:

Applicant First Name: Lei
Applicant Last Name: Hua
Receipt Number: WAC0515154164
A#: 98-462-972
Applicant e-mail address: [REDACTED]
Applicant Date of Birth: [REDACTED]
Applicant Work Phone Number: 605-[REDACTED] (H)
Applicant Home Phone Number: 805-[REDACTED] (H)

SPOUSE DETAILS:

Applicant First Name: Jing
Applicant Last Name: Huang
Receipt Number: WAC0515154317
A#: 98-462-973
Applicant e-mail address: [REDACTED]
Applicant Date of Birth: [REDACTED]
Applicant Home Phone Number: 805-[REDACTED] (H)

Thanks in anticipation.

Yahoo! Mail - [REDACTED]@yahoo.com

Page 2 of 2

With warmest regards,

Lei Hua

8:00? 8:25? 8:40? Find a link in no time
with the Yahoo! Search movie showtime shortcut.
<http://tools.search.yahoo.com/shortcuts/#news>

Exhibit 12

BARBARA BOXER
CALIFORNIA

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
ENVIRONMENT
AND PUBLIC WORKS
FOREIGN RELATIONS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
<http://boxer.senate.gov/contact>

February 22, 2007

Mr. Lei Hua

[REDACTED]
Camarillo, California 93010

Dear Mr. Hua:

Enclosed, please find the correspondence Constituent Representative Lucia Macias received from the Federal Bureau of Investigation regarding an inquiry that was made on your behalf.

I hope that this information is of assistance. Thank you for allowing me to address your concerns.

Sincerely,



Barbara Boxer
United States Senator

BB: lcm

1700 MONTGOMERY STREET
SUITE 240
SAN FRANCISCO, CA 94111
(415) 403-0100

312 NORTH SPRING STREET
SUITE 1748
LOS ANGELES, CA 90012
(213) 894-5000

501 'I' STREET
SUITE 7-600
SACRAMENTO, CA 95814
(916) 448-2787

2500 TULARE STREET
SUITE 5290
FRESNO, CA 93721
(559) 497-5109

600 'B' STREET
SUITE 2240
SAN DIEGO, CA 92101
(619) 239-3884

201 NORTH 'E' STREET
SUITE 210
SAN BERNARDINO, CA 92401
(909) 888-8525

Macias, Lucia (Boxer)

From:

Sent: Thursday, February 22, 2007 2:49 AM

To: Macias, Lucia (Boxer)

Subject: LEI HUA

A review of the Federal Bureau of Investigation's (FBI's) Name Check Program database concerning LEI HUA revealed that a request was received from the United States Citizenship and Immigration Services on 05/18/2005, and is currently in a pending status.

The FBI processes millions of name check requests each year with each requiring thoughtful consideration. We know how important this information must be to your constituent; however, the FBI must also balance the need for national security in preparing the response to each of these requests. The FBI's homeland security mission requires that our name check process be primarily focused on an accurate and thorough result. While an exact date for completion of this review cannot be given be assured that the results will be made available to the immigration authorities as quickly as possible.

I trust this information will assist you in responding to your constituent.

Sincerely,

Michael A. Cannon
Section Chief
National Name Check Program Section
Records Management Division
Federal Bureau of Investigation

2/22/2007

Exhibit 13

UNITED STATES OF AMERICA

ASC Appointment Notice

CASE TYPE
I485 Application to Register Permanent Resident or Adjust Status

APPLICATION NUMBER
WAC0515154164

SOCIAL SECURITY NUMBER

USCIS A#

A098462972

SERVICE CENTER

TSC

NOTICE DATE
4/19/2007

CODE

1

PAGE

1 of 1

LEI HUA

CAMARILLO, CA 93010

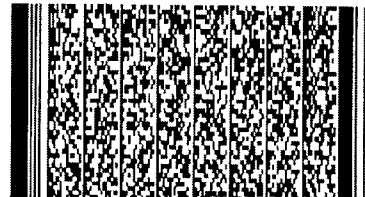
BIOMETRICS PROCESSING STATION

ASC SITE CODE XUL

BIOMETRICS CA REVIEW

APPOINTMENT SCHEDULE

15716



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.

IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER

USCIS OXNARD
2000 Outlet Center Drive
SUITE 200
OXNARD, CA 93036

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

DATE AND TIME OF APPOINTMENT

05/03/2007

12:00 PM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE** and

2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

REQUEST FOR RESCHEDULING

☐ Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS OXNARD, 2000 Outlet Center Drive, SUITE 200, OXNARD, CA 93036

APPLICATION NUMBER 1

I485 - WAC0515154164



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

Exhibit 14

DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND
ADMINISTRATION - CHAIRMAN
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://diannefinstein.senate.gov>

June 1, 2007

Mr. Lei Hua

[REDACTED]

Camarillo, California 93010

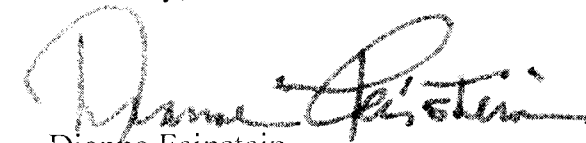
Dear Mr. Hua:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes eight to ten weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

Sincerely,



Dianne Feinstein
United States Senator

DF:mg

FRESNO OFFICE:
2500 TULARE STREET
SUITE 6050
FRESNO, CA 93721
(559) 485-7436

LOS ANGELES OFFICE
11151 SANTA MONICA BOULEVARD
SUITE 1000
LOS ANGELES, CA 90025
(310) 343-7310

SAN DIEGO OFFICE
300 B STREET
SUITE 1000
SAN DIEGO, CA 92101
(619) 231-9712

SAN FRANCISCO OFFICE:
ONE POST STREET
SUITE 2450
SAN FRANCISCO, CA 94104
(415) 393-0707

Exhibit 15



Name: **Lei Hua**

Appointment Speak to immigration officer

Type:

Confirmation LOS-07-54702

No.:

Appointment **June 12, 2007**

Date:

Authentication 161d4
Code:

Appointment **9:45**
Time: **AM**

Location: 300 N. LOS ANGELES ST., Los Angeles, CA 90012; ROOM 1001

**This is your Confirmation
Number:**



**If you wish to cancel this appointment, you will need
the following Personal Identification Number:
93105**

Please be on time. Failure to show up on time will result in the cancellation of your appointment. You will then need to reschedule your appointment. You will not be admitted more than 15 minutes before your scheduled appointment time.

- You must appear in person and bring photo identification along with this appointment letter.
- Acceptable forms of identification are any of the following: Government issued identification, passport, valid driver's license, I-94, Work Authorization Card, or Permanent Resident Card. (Green Card)
- In order to serve you more efficiently, we require you to bring all applicable immigration forms, letters, receipts, translations and originals of supporting documents.

Exhibit 16

From: Lei Hua

[REDACTED]
Camarillo, CA 93010

TO: USCIS Texas Service Center
P.O. Box 852463
Mesquite, Texas. 75185-2463

June 14, 2007

Dear Sir or Madam:

I am writing this letter hoping to find out the status of my pending I-485 case.

I filed my I-485 on May 02 2005 in California Service Center. And the I-485 case was transferred to Texas Service Center on June 14 2006. And it has been pending in Texas Service Center ever since. I would really appreciate if you can let me know the current status of my pending I-485 case in Texas Service Center.

Enclosed please find the following materials.

1. Copy of my I-140 approval notice
2. Copy of my I-485 receipt notice in California Service Center
3. Copy of my I-485 transfer notice to Texas Service Center from California Service Center

Looking forward to your reply at your earliest conveniences. Thanks very much.

Best wishes,

Lei Hua

Exhibit 17



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

WH 593229

20 JUN 2007

Mr. Lei Hua

[REDACTED]
Camarillo, CA 93010

Dear Mr. Hua:

Your letter dated April 25, 2007, directed to Mrs. George W. Bush concerning your name check status for immigration purposes, was forwarded to the Department of Justice and subsequently referred to the Federal Bureau of Investigation (FBI) for reply. Your letter also enclosed a copy of our response regarding your Freedom of Information-Privacy Acts (FOIPA) request.

The processing of a FOIPA request differs from the processing of an FBI National Name Check Program (NNCP) record review. While both FOIPA and NNCP process requests through an automated or manual check of the FBI's Central Records System Universal Index (UNI) of over 90 million files, the scope of the searches for these two programs differ. The difference in searches reflects the distinct purposes of the two programs.

FOIPA provides copies of FBI files relevant to a FOIPA request. For FOIPA, the FBI search uses the name or information as provided in the FOIPA request. A FOIPA search determines whether there is an investigative file associated with an individual. This is called a "main file" search.

The NNCP conducts a search to identify any information contained in FBI records that may be associated with an individual and provides the information to another government entity. In an effort to ensure our national security, we use various combinations of the name, which can result in several "hits" on an individual that must be reviewed, whereas a search conducted under FOIPA results in no responsive records.

The NNCP conducts both a main file and a "reference" search. A reference is someone whose name merely appears in an FBI file or investigation. For NNCP checks, in each instance where UNI has identified a name variation or reference, an FBI analyst must review the information to determine whether it is applicable to the individual in question. This thorough vetting of a name can consume considerable time.

Exhibit 18



Name: **Lei Hua**
Appointment Type: **Question about case**
Confirmation No.: **LOS-07-79910** Authentication Code: **161d**
Appointment Date: **September 5, 2007**
Appointment Time: **11:00 AM**
Location: **300 N. LOS ANGELES ST., Los Angeles, CA 90012;
ROOM 1001**

**This is your Confirmation
Number:**



**If you wish to cancel this appointment, you will need the
following Personal Identification Number:
34811**

**Please be on time. Failure to show up on time will result in the cancellation of
your appointment. You will then need to reschedule your appointment. You wi
not be admitted more than 15 minutes before your scheduled appointment tim**

- **You must appear in person and bring photo identification along with tl
appointment letter.**
- **Acceptable forms of identification are any of the following: Governmer
issued identification, passport, valid driver's license, I-94, Work
Authorization Card, or Permanent Resident Card. (Green Card)**
- **In order that we may serve you more efficiently, we recommend that y
bring all applicable immigration forms, letters, receipts and supporting
documents. If translations are used, they should be certified. Please
bring the original documents as well.**

Exhibit 19



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U.S. Citizenship and Immigration Services Texas Service Center Processing Dates Posted September 15, 2007

Notice: U.S. Citizenship and Immigration Services (USCIS) has improved the reporting procedure for processing times of immigration benefit applications. In the past, USCIS benefit processing reports indicated the specific type of applications or petitions that were being processed and the date the cases were received. However, the date the case was received did not provide a clear indication of when USCIS expected to complete the case, nor did it provide a clear indication of USCIS' commitment to process cases within a certain cycle time. It also did not align with the processing times and cycle times the agency reports in other contexts.

This improved reporting procedure is an effort to give our customers more accurate information that better reflects current processing time and USCIS service level commitments. Effective immediately, when we are completing applications and petitions within our service level goals we will report the USCIS service level commitment. For example, when our service level goal is to process a particular kind of case within six months, and if our processing time is six months or less, we will show "6 months".

When we are not meeting our service level goal, the date posted will reflect the filing date of cases that are being completed. It should be noted that while in some instances reported processing dates may appear to have regressed due to this change, they do not reflect a lengthening of USCIS processing times, but simply the change in reporting. Our goal is to provide accurate projections and thus give customers clear expectations as to what they can expect as a processing time.

There are several important exceptions to the processing times shown below:

- Case processing will be delayed if we must ask you for more evidence or information. If we ask for missing required initial evidence, count the processing time from when we receive that missing evidence.
- The case processing timeframe will start over if a customer doesn't appear for an interview or asks that it be rescheduled.

What if I have a problem or have questions about a case?

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our [fact sheet](#) –

Case Services - How do I... know what kind of services are available to me after I file my application or petition?

One additional point about these projections. They are the time to complete processing and mail the actual notice and/or document. If you check case status online and see that your case has been approved, and you haven't yet received your approval notice or document in the mail, we ask that you wait thirty days from the approval date before contacting us. That is because it may take that long before it is returned to us as undeliverable. You can also print the case status online answer for your records.

Service Center Processing Dates for **Texas Service Center** Posted September 15, 2007

Form	Title	Classification or Basis for Filing	Processing Timeframe
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	6 Months
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	3 Months
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	2 Months
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in the U.S.	2 Months
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	2 Months
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	15 Days
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	30 Days
I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	2 Months
I-129	Petition for A Nonimmigrant Worker	E - Treaty traders and investors	2 Months
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	30 Days
I-129	Petition for A Nonimmigrant Worker	Blanket L	2 Months
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	2 Months
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	2 Months
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	2 Months
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	2 Months
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	2 Months
I-131	Application for Travel Document	All other applicants for advance parole	3 Months
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	October 08, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	December 19, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	August 01, 2004
I-526	Immigrant Petition By Alien Entrepreneur	For use by an entrepreneur who wishes to immigrate to the United States	6 Months
I-539	Application to Extend/Change	Change of status to H or L dependents	June 11, 2007

	Nonimmigrant Status		
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for F or M academic or vocational students	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	June 11, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other extension applications	June 11, 2007
I-612	Application for Waiver of the Foreign Residence Requirement	Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution	January 14, 2007
I-730	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	January 17, 2007
I-751	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	6 Months
I-765	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	11 Weeks
I-765	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	30 Days
I-765	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	11 Weeks
I-765	Application for Employment Authorization	Based on TPS for Honduras/Nicaragua [(c)(19), (a)(12)]	11 Weeks
I-765	Application for Employment Authorization	Based on TPS for El Salvador [(c)(19)(a)(12)]	11 Weeks
I-765	Application for Employment Authorization	All other applications for employment authorization	11 Weeks
I-817	Application for Family Unity Benefits	Voluntary departure under the family unity program	6 Months
I-824	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	6 Months
I-829	Petition by Entrepreneur to Remove Conditions	Removal of lawful permanent resident conditions (immigrant investors)	6 Months
I-829	Petition by Entrepreneur to Remove Conditions	Removal of lawful permanent resident conditions (immigrant investors) based on PL107-273	September 10, 1997

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U.S. Department of Homeland Security